

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES EDWARD GRANT,

Petitioner,

ORDER

v.

08-cv-703-slc

WAUNAKEE POLICE,
See Case No. 2007CM003101,

Respondent.

This case was transferred to this venue from the Northern District of Illinois by order of the Hon. Judge Marovich dated December 4, 2008. Petitioner is a prisoner confined at the Dane County Jail in Madison, Wisconsin. In his complaint brought under 42 U.S.C. § 1983, petitioner alleges that unknown Waunakee Police Officers violated his rights during an arrest in Waunakee, Wisconsin. Petitioner has not paid the \$350 fee for filing his complaint. Therefore, I construe his complaint to include a request for leave to proceed *in forma pauperis*.

Because petitioner is a prisoner, he is subject to the 1996 Prisoner Litigation Reform Act. This means that before this court may decide whether he can proceed with his complaint *in forma pauperis*, petitioner will have to make an initial partial payment of the \$350 filing fee in the amount of \$.52 and the remainder of the fee in monthly installments even if his request for leave to proceed is denied. Petitioner should show a copy of this order to prison officials in order to insure that they are aware they should send petitioner's initial partial payment to this court.

ORDER

IT IS ORDERED that petitioner is assessed \$.52 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court on or before January 1, 2009. If, by January 1, 2009, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 10th day of December, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge